



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI, JACKSON DIVISION

Min. QUINCEY B. CARPENTER

CIVIL NO.

V.

3:15CV 883 CWR-FKB

Chairman, Mississippi Election Commission,

Hinds County

COMPLAINT

JURISDICTION

The court has jurisdiction in this matter pursuant to 42 USC section 1983 to redress the deprivation of civil rights, 42 USC section 1973, and the 14th Amendment equal protection clause of the U.S. Constitution. The plaintiff, pro se claims denial of voter registration, absentee balloting by a convicted felon in the State of Mississippi pursuant to section 23-15-19 gives the court its jurisdiction and MS voter identification law of 23-15-563 under MS Code of 1972.

PARTIES

The plaintiff, Minister Quincey Bernard Carpenter is a born citizen of the United States, resident of Hinds County, City of Jackson, MS at 236 Eastview Street, Jackson, MS 39209(601)842-1164.

The defendant,: Chairman, Hinds County Election Commission is charge with enforcement of MS election laws in the County of Hinds, P.O. BOX 946, Jackson, MS 39205,Phone: 601.968.6555, Fax: 601.948.2681.

Cause of Action

The officials are being sued in their official capacity for the privation of rights secured by the constitution of the U.S. and Federal law thus the doctrine of qualified immunity nor sovereign immunity do not apply allow this suit to go forth. In April of 2007 the plaintiff was convicted of robbery by written instrument for a 2005 arrest and given five(5) year probation before the Honorable Robert "Bobby" Delaughter in Jackson, MS. Based upon the cited conviction MS statue 23-15-19 of the MS code of 1972 the plaintiff is barred legally from voting. The plaintiff has voted in MS illegally but such voting could result in criminal penalties. The plaintiff has registered to Vote, see attached voter registration for, label plaintiff's exhibit (a). and Mississippi and U.S. have upcoming elections in 2015 and 2016 see attached voting calendar label plaintiff's exhibit (b) as follows: 2015 and 2016 which the statue in question bars participation in.. The plaintiff further states Miss. Voter I.D. law denies the plaintiff equal protection of the laws in violation of the 14th Amendment because it does not require absentee mail in voters to present voter identification. The plaintiff states, the application of the MS statue disproportionately effects African Americans in that the statue disproportionately effects African Americans by its application more than their White counterparts in the State of Mississippi and disproportionately dilutes the black vote whether unintentionally by its application and thus violates the voting rights act clause concerning the diluting historically disadvantage populace disproportionately.;

(a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) [language minorities] of this title, as provided in subsection (b) of this section.

(b) A violation of subsection (a) of this section is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) of this section in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: Provided, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.

The foregoing actions deny the plaintiff equal protection of the law in violation of the 14th amendment of the U.S. Constitution and is authorized by MS code 23-15-75. Proceedings in circuit court, and 23-15-91; 23-15-93; and 23-15-95.

I declare under the penalty and pains of perjury the foregoing is true and correct this 20 Day of May 2015 at Hinds County Jackson, MS

RELIEF

The plaintiff hereby prays for:

Injunctive relief compelling the defendant to allow the plaintiff to vote in all upcoming 2015 and 2016 election;

An order directing the plaintiff's registration not to be purged from voter rolls,

An order: prohibiting the application of MS voter identification laws since it does not require absentee voter to present identification to vote.

Any other relief the court deems just.

Respectfully Submitted,


Quincey B. Carpenter

236 East view Street

Jackson, MS 39209

601-842-1164

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PLAINTIFF'S NOTICE OF CONSTITUTIONAL QUESTION

The plaintiff, Quincey B. Carpenter, PURSUANT TO RULE 5.1 OF THE RULES OF FEDERAL PROCEDURE hereby raises the question of the unconstitutional application of: section 23-15-19 and 23-15-563 under MS Code of 1972

Respectfully Submitted,


Quincey B. Carpenter

236 Eastview Street

Jackson, MS 39209

(769)251-4295

MISSISSIPPI MAIL-IN AND NVRA AGENCY VOTER REGISTRATION APPLICATION

IMPORTANT!

- If you are not registered to vote where you now live, you can use this form to register to vote or report that your name or address has changed.
- If you have questions call your county Circuit Clerk or call the Secretary of State at 1-800-829-6786.
 - Complete all sections of this form and mail it to your county Circuit Clerk AT LEAST 30 days before the election in which you want to vote.
 - If you are qualified and the information on your form is complete, you will be mailed a voter card that tells you where to vote.
 - If you decline to register to vote, your decision not to register will remain confidential and will be used only for voter registration purposes.
 - If you do register to vote, the office at which you submit this application will remain confidential and will be used only for voter registration purposes.

If this form is completed at an NVRA voter registration agency, record the name of the agency: _____

Section I. APPLICATION TO REGISTER TO VOTE

Please select one of the following: New Registration ☐ Change of Information ☒

- 1) Are you a citizen of the United States of America? Yes ☒ No ☐
 2) Will you be 18 years of age on or before election day? Yes ☒ No ☐
 3) Would you like to serve as an Election Day Poll Worker? Yes ☒ No ☐

NOTE: If you checked "No" in response to questions 1 or 2, do not complete this form.

CIRCLE Mr. Mrs. Miss Ms.	Last Name: carpenter	First Name: quincey	Middle/Maiden Name: bernard	Suffix: (JR, III)
Physical Home Address (Number & Street/Road/Dorm/Apt. #): *		City:	County:	State: MS
236 Eastview street		Jackson	Hinds	Zip: 39209
Mailing Address (if different from above, include zip code):			Date of Birth: (mm/dd/yy)	
Mississippi Driver's License Number (If you do not have a driver's license, then list the last 4 digits of your Social Security Number): ** 800229903				

*If you reside at a non-traditional address attach a drawing or locational map of your address.

**Identification Requirement: If you do not have a driver's license or social security number, and this form is submitted by mail, and you have never registered to vote in the county you are now registering in, you must send, with this application, either a) a copy of current and valid photo identification, or b) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. If you do not provide the information requested above, you may be required to provide to election officials either (a) or (b) above the first time you vote after January 1, 2004 at a voting place or by absentee ballot.

Section II. IF YOU WERE PREVIOUSLY REGISTERED UNDER A DIFFERENT NAME OR ADDRESS, LIST THAT NAME OR ADDRESS

CIRCLE Mr. Mrs. Miss Ms.	Last Name: carpenter	First Name: quincey	Middle/Maiden Name: bernard	Suffix: (JR, III)
Previous Address (Number & Street/Road/Dorm/Apt. or Lot #) 4611 meadow ridge drive				
Previous City: jackson	Previous County: hinds	Previous State: MS	Previous Zip: 39206	

Section III. VOTER DECLARATION- Read and Sign

I swear/affirm, under penalty of perjury, that: I am a U.S. citizen. I will have lived in this state and county for at least 30 days before voting, and if a resident of a municipality, I will have lived in the municipality for at least 30 days before voting. I have never been convicted of any of the following crimes against the State of Mississippi: murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement, bigamy, armed robbery, extortion, felony bad check, felony shoplifting, larceny, receiving stolen property, robbery, timber larceny, unlawful taking of a motor vehicle, statutory rape, carjacking, or larceny under lease or rental agreement, or I have had my rights restored as required by law. I have not been declared mentally incompetent by a court. Furthermore, I certify that I am at least eighteen (18) years old (or I will be before the next general election), the information given by me is true and correct and that I have truly answered all questions on this application for registration, and that I will faithfully support the Constitution of the United States and of the State of Mississippi, and will bear true faith and allegiance to the same.

X _____ Date: 5-20-15
Signature (or mark) of applicant

X _____
If applicant is unable to sign, the person who assisted the applicant must sign above

Date: _____

Daytime phone number(s) where applicant can be reached: 601-842-1164

Was any person or group involved in the process of completing this form other than the voter? If yes, the person or group must provide the information below:

Name: _____

Address: _____

WARNING: FALSE REGISTRATION IS A FELONY. The penalty for conviction of false registration is imprisonment for not more than five (5) years or a fine of not more than five thousand dollars (\$5000), or both. Miss. Code Ann § 23-15-17.

FOR OFFICIAL USE ONLY

Elections Division

Mississippi Secretary of State's Office
Phone: (601) 576-2550 or 1-800-829-6786
Fax: (601) 359-5019

Website: www.sos.ms.gov

Elections Calendar • 2015-2016

2015 Election

August 4..... Primary Election
August 25 Primary Run-off
November 3..... General Election
November 24..... General Runoff

Elected Offices for 2015

Governor
Lieutenant Governor
Secretary of State
Attorney General
State Auditor
State Treasurer
Commissioner of Insurance
Commissioner of Ag. & Commerce
State Senators
State Representatives
Transportation Commissioners
Public Service Commissioners
District Attorneys
Sheriffs
Chancery Clerks
Circuit Clerks
Tax Assessors
Tax Collectors
Coroners
Superintendents of Education
County Attorneys
Surveyors
Supervisors
Justice Court Judges
Constables

Special Elections may be held for vacancies in other
elected offices.

2016 Election

March 8 Primary Election
March 29 Primary Run-off
November 8 General Election
November 29..... General Runoff

Elected Offices for 2016

President and Vice President
U.S. House of Representatives
Supreme Court Justices (Staggered 8-year term)
Court of Appeals (Staggered 8-year term)
Levee Commissioners
Election Commissioners
School Board Members (Staggered terms)